

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

JOHN BARNHARDT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
and	)	
	)	
UNITED STATES OF AMERICA,	)	Civil Action No. 4:65-cv-01300-HTW-LRA
	)	1300(E)
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
MERIDIAN MUNICIPAL SEPARATE	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	
	)	

**JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT  
AND AUTHORIZATION OF NOTICE TO THE PLAINTIFF CLASS  
PURSUANT TO RULE 23(E) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Private Plaintiffs John Barnhardt, et al. and Defendants Meridian Public School District, et al. (collectively, the “Parties”) jointly move pursuant to Federal Rule of Civil Procedure 23(e) that this Court enter the attached proposed Order, which:

1. Grants preliminary approval of their settlement of this case, embodied in the attached Settlement Agreement (Exhibit A).
2. Approves the attached proposed Notice of Proposed Settlement and Hearing on Fairness of Settlement and Unitary Status (“Notice”) (Exhibit B), which notifies the public, including the plaintiff class, that a fairness hearing will be held in this matter.

3. Sets a date by which objections to or comments upon the proposed settlement, or requests to appear at the fairness hearing (Exhibit C), must be received by the Clerk of Court.
4. The Parties propose that the comment period and fairness hearing be set according to the following schedule:
  - August 30, 2019: Deadline for written comments about and/or objections to the Settlement Agreement.
  - September 6, 2019: Parties to settlement to submit a joint motion for final approval, including proposed final approval order.
  - September 9, 2019: Fairness hearing to be held to provide opportunity for public comment and Parties' evidence as to fairness of settlement agreement and whether District has achieved unitary status.
  - October 18, 2019: If necessary, deadline for post-hearing briefing, responding to public comment and/or objections.

The following documents are attached in support of this Joint Motion:

Exhibit A – Settlement Agreement

Exhibit B – Proposed Notice to the Plaintiff Class and Community Members

Exhibit C – Proposed Notice of Intent to Speak and Comment Form

Exhibit D – Proposed Order Preliminarily Approving Settlement Pursuant to FED.

R. CIV. P. 23(e) and Requiring Notice to the Plaintiff Class

Memorandum in Support of this Joint Motion

The Parties respectfully request that the Court enter the proposed Order attached hereto as Exhibit D.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of August, 2019, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Natasha Merle  
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